

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

REGIONS ASSET COMPANY, et al.,	)	
	)	
Plaintiffs,	)	
	)	
	)	Civil Action No. 2:06-cv-882-MHT
	)	
REGIONS UNIVERSITY, INC.	)	
	)	
Defendant.	)	
	)	

**DEFENDANT'S DESIGNATION OF  
RESPONSIVE DEPOSITION TESTIMONY**

COMES NOW the defendant Regions University, Inc. and designates the following deposition testimony in response to the deposition testimony designated by the plaintiff.

1. Deposition of Patsy Fulgham

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21	3-9
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2. Deposition of Carolyn Hughes

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28	16-20
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3. Deposition of Emmett M. Pollard

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

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/s/ WILLIAM W. WATTS

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

REGIONS ASSET COMPANY,

Plaintiff,

Vs.

REGIONS UNIVERSITY, INC.,

Defendant.

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CIVIL ACTION NUMBER

2:06cv882-MHT

\* \* \* \* \*

Rule 30(b)(5); 30(b)(6) deposition of Regions  
Asset Company, taken through the witness, EMMETT  
M. POLLARD, before David Michael Camp,  
Commissioner, in the law offices of Balch &  
Bingham, LLP, 105 Tallapoosa Street, Suite 200,  
Montgomery, Alabama, on May 10th, 2007, commencing  
at approximately 8:59 o'clock a.m.



Emmett M. Pollard

Victor Hudson

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<p>1 APPEARANCES</p> <p>2</p> <p>3 For Plaintiff:</p> <p>4 BALCH &amp; BINGHAM, LLP</p> <p>5 Attorneys at Law</p> <p>6 Post Office Box 78</p> <p>7 Montgomery, Alabama 36101</p> <p>8 (334) 834-6500</p> <p>9 BY: CHARLES PATERSON</p> <p>10 -AND-</p> <p>11 STEPTOE &amp; JOHNSON, LLP</p> <p>12 Attorneys at Law</p> <p>13 1330 Connecticut Avenue</p> <p>14 Washington, D.C. 20036</p> <p>15 (202) 429-3000</p> <p>16 BY: WILLIAM G. PECAU</p> <p>17</p> <p>18 For Defendant:</p> <p>19 HUDSON &amp; WATTS, L.L.P.</p> <p>20 Attorneys at Law</p> <p>21 One St. Louis Centre, Suite 2500</p> <p>22 Post Office Box 989</p> <p>23 Mobile, Alabama 36601</p> <p>(251) 432-7200</p> <p>BY: VICTOR T. HUDSON</p> <p>-AND-</p> <p>SHLESINGER, ARKWRIGHT &amp; GARVEY, LLP</p> <p>Attorneys at Law</p> <p>1420 King Street, Suite 600</p> <p>Alexandria, Virginia 22314</p> <p>(703) 684-5600</p> <p>BY: JAMES E. SHLESINGER</p> <p>Also present: REX A. TURNER, JR.</p> <p>*****</p>	<p>1 STIPULATION</p> <p>2 It is stipulated by and between the parties</p> <p>3 hereto and their respective attorneys at law that</p> <p>4 the deposition on oral examination of the Witness,</p> <p>5 EMMETT M. POLLARD, may be taken before David</p> <p>6 Michael Camp, Commissioner and Notary Public,</p> <p>7 State of Alabama at Large, and that the said</p> <p>8 deposition shall be taken in accordance with and,</p> <p>9 when so taken, may be used in accordance with the</p> <p>10 provisions of the Federal Rules of Civil</p> <p>11 Procedure.</p> <p>12 It is further stipulated and agreed that all</p> <p>13 notices provided for by said Federal Rules of</p> <p>14 Civil Procedure are waived, as is the reading over</p> <p>15 of said deposition to or by the witness, the</p> <p>16 signing thereof by the witness, the signing and</p> <p>17 certification of said David Michael Camp, the</p> <p>18 filing of said deposition with the Clerk of the</p> <p>19 Court and all other requirements and</p> <p>20 technicalities of every sort which would be a</p> <p>21 prerequisite to the use of said deposition.</p> <p>22 It is the intent of the parties hereto that</p> <p>23 this deposition may be used in evidence as though</p>
Page 3	Page 5
<p>1 INDEX</p> <p>2</p> <p>3 Witness</p> <p>4 EMMETT M. POLLARD</p> <p>5</p> <p>6 EXAMINATION</p> <p>7 MR. HUDSON ..... 6</p> <p>8 *****</p> <p>9</p> <p>10</p> <p>11</p> <p>12 EXHIBITS</p> <p>13 DEFENDANT'S EXHIBIT SEVEN ..... 28</p> <p>14 DEFENDANT'S EXHIBIT EIGHT ..... 28</p> <p>15 DEFENDANT'S EXHIBIT NINE ..... 34</p> <p>16 DEFENDANT'S EXHIBIT TEN ..... 34</p> <p>17 DEFENDANT'S EXHIBIT ELEVEN ..... 34</p> <p>18 DEFENDANT'S EXHIBIT TWELVE ..... 58</p> <p>19 DEFENDANT'S EXHIBIT THIRTEEN ..... 60</p> <p>20 DEFENDANT'S EXHIBIT FOURTEEN ..... 89</p> <p>21 DEFENDANT'S EXHIBIT FIFTEEN ..... 96</p> <p>22 DEFENDANT'S EXHIBIT SIXTEEN ..... 96</p> <p>23 *****</p>	<p>1 all requirements of said Federal Rules of Civil</p> <p>2 Procedure had been complied with.</p> <p>3 It is further stipulated and agreed that all</p> <p>4 parties hereto reserve the right to have</p> <p>5 corrections made to this deposition as provided</p> <p>6 for by said Federal Rules of Civil Procedure.</p> <p>7 It is further stipulated and agreed that all</p> <p>8 objections, save as to the form of the questions</p> <p>9 asked and the responsiveness of the answers</p> <p>10 thereto are reserved until the time of trial in</p> <p>11 accordance with the provisions of said Federal</p> <p>12 Rules of Civil Procedure.</p> <p>13</p> <p>14 *****</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>



Emmett M. Pollard

Victor Hudson

3 (Pages 6 to 9)

Page 6

1 EMMETT M. POLLARD, having been first duly  
2 sworn to speak the truth, the whole truth, and  
3 nothing but the truth, testified as follows:

## EXAMINATION

4 BY MR. HUDSON:

5 Q Mr. Pollard, would you please state your  
6 name for the record?

7 A Mike Pollard.

8 Q Where are you employed, Mr. Pollard?

9 A Regions Bank.

10 Q In what capacity?

11 A Director of Organization Development.

12 Q How long have you been in that position?

13 A Officially, since the merger, which  
14 would be November of last year.

15 Q The AmSouth merger?

16 A Yes.

17 Q And what position did you hold prior to  
18 the AmSouth merger?

19 A It was called the Director of  
20 Organizational Development Learning.

21 Q Why was the name changed?

22 A We took the responsibilities and split

Page 7

1 them in half so that the person that essentially  
2 had the kind of job I did at AmSouth and I -- you  
3 know, they put the two banks together, just kind  
4 of separated the collective training and  
5 development functions for the company.

6 Q Perhaps you could explain the difference  
7 to me between organizational development and  
8 learning as those terms are used by your banks.

9 A Okay. Organizational development is  
10 kind of used to kind of focus on the systems that  
11 are in place, and HR, such as performance  
12 management, talent management, leadership  
13 development, executive development, employee  
14 selection and assessment.

15 The learning part is focused on technical  
16 training.

17 Q Would it be fair to say that -- and any  
18 time somebody says "fair to say," get ready  
19 because that's some kind of leading question. In  
20 this case, it's not. But would it be fair to say  
21 that the organizational development part is more  
22 traditional HR functions?

23 And if not, let's just find some

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1 classification so I can get my arms around it.

2 A They would be, yes. It's probably more  
3 of the cutting edge kind of things you find in HR  
4 today. When you use the word "traditional",  
5 that's not what you would have found fifteen or  
6 twenty years ago necessarily.

7 Q I didn't mean it that way. I meant if  
8 you went to a modern day HR department, you'd find  
9 those things.

10 A That's right.

11 Q And the learning aspect, how do you  
12 classify that?

13 A The corporate training.

14 Q Okay. And did AmSouth Bank have a  
15 program of its own for corporate training prior to  
16 the merger?

17 A Yes.

18 Q What, if any, name was given to their  
19 program?

20 A All I know is that the function was  
21 called corporate training.

22 Q I'm hard of hearing. I'm sorry?

23 A It was called corporate training.

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1 Q Corporate training. Now, was any part  
2 or all of the AmSouth corporate training program  
3 adopted by the new bank after the merger?

4 A It depends on which systems are  
5 surviving in the new company. And so you would  
6 say that the training programs that were  
7 associated with the bank, the system that  
8 survived, would have that training survive with it  
9 because it supports it. And so it would be  
10 somewhat of a mix between both Regions and  
11 AmSouth.

12 Q Okay. Sometimes in mergers, you tend to  
13 take the best of both and put them together. Was  
14 that what was accomplished here?

15 A I believe that was the attempt, yes.

16 Q And I gather that prior to the merger,  
17 Regions had its own corporate training program.

18 A Yes.

19 Q And by what name, if any, did Regions  
20 refer to its corporate training program as?

21 A Regions University.

22 Q Okay. Whose idea was it to use that  
23 catchy name to describe the Regions corporate



4 (Pages 10 to 13)

<p style="text-align: right;">Page 10</p> <p>1 training program?</p> <p>2 A The director of HR.</p> <p>3 Q What was his name?</p> <p>4 A John Daniel.</p> <p>5 Q And when did he do that? When did that</p> <p>6 occur?</p> <p>7 A John was the surviving head of HR out of</p> <p>8 the Regions/Union Planters merger. Union</p> <p>9 Planters' training function was UP University.</p> <p>10 Q I'm sorry. I didn't hear. What</p> <p>11 university?</p> <p>12 A Union Planters -- UP University. And</p> <p>13 that survived then into Regions. So it became</p> <p>14 Regions University at the merger between the two</p> <p>15 companies.</p> <p>16 Q And what was the approximate date of</p> <p>17 that merger?</p> <p>18 A I believe it was May of 2004.</p> <p>19 Q Okay. Was any authority required by</p> <p>20 someone senior to him in order to use that name?</p> <p>21 A I'm --</p> <p>22 Q Don't know?</p> <p>23 A -- not aware. Don't know.</p>	<p style="text-align: right;">Page 12</p> <p>1 consulted in what?</p> <p>2 A Human resource practices, leadership</p> <p>3 development, executive coaching assessments.</p> <p>4 And then in September of 2000, I went to work</p> <p>5 for Union Planters as their Director of Career</p> <p>6 Management. And then in 2003, I moved into the</p> <p>7 Director of Organizational Development Learning</p> <p>8 position.</p> <p>9 Q Was there any practical difference,</p> <p>10 speaking in generalities, between being the</p> <p>11 Director of Career Management in 2000 with one</p> <p>12 company and in 2003 holding the position that you</p> <p>13 held with Regions?</p> <p>14 A Yes.</p> <p>15 MR. PECAU:</p> <p>16 Object to the form of the question.</p> <p>17 BY MR. HUDSON:</p> <p>18 Q The answer is yes?</p> <p>19 A Yes.</p> <p>20 Q What would the difference be?</p> <p>21 A Scope of the job.</p> <p>22 Q Sir?</p> <p>23 A Scope.</p>
<p style="text-align: right;">Page 11</p> <p>1 Q Please tell us your background and</p> <p>2 training. And it would be easier if you did it in</p> <p>3 a narrative way. And what I'd be interested in</p> <p>4 hearing is your college education and then your</p> <p>5 training and work experience.</p> <p>6 A Okay. Graduated from East Carolina</p> <p>7 University in 1972 with an undergraduate degree in</p> <p>8 Psychology, pursued a Master's degree in</p> <p>9 Psychology and Counseling and Management Sciences</p> <p>10 from the University of Memphis and graduated in</p> <p>11 1991.</p> <p>12 Started a professional career with Cannon</p> <p>13 Mills in 1972 as a Management Trainer. I left</p> <p>14 Cannon Mills and went to work for Menica Bank &amp;</p> <p>15 Trust out of Berkford in '76 as a Human Resource</p> <p>16 Specialist that focused on leadership training.</p> <p>17 I joined First Oklahoma Bank Corporation in</p> <p>18 '79 as their Director of Training. I had the</p> <p>19 opportunity in '80 to go over to the First Bank of</p> <p>20 Memphis and head up their training function.</p> <p>21 In '99, I left First Tennessee and consulted</p> <p>22 for about two years. In September of 2000 --</p> <p>23 Q Excuse me just one second. You</p>	<p style="text-align: right;">Page 13</p> <p>1 Q And would you describe the difference in</p> <p>2 the scope?</p> <p>3 A The Manager of Career Development was an</p> <p>4 individual contributor position. The Director of</p> <p>5 Organization Development and Learning had, you</p> <p>6 know, several dozen reports and responsibility for</p> <p>7 the University.</p> <p>8 Q Okay. Now, I may go through those</p> <p>9 several dozen but I may be able to short circuit</p> <p>10 it. With regard to the learning part, the</p> <p>11 Director of Organization Development and Learning</p> <p>12 that you had in 2003 -- with regard to the</p> <p>13 learning aspect, was that substantially the same</p> <p>14 as the job that you had in 2000 where you were the</p> <p>15 Director of Career Management?</p> <p>16 A No.</p> <p>17 Q Okay. It might serve if you explained</p> <p>18 the function of what you had in 2003, Director of</p> <p>19 -- what was it?</p> <p>20 A Organization Development and Learning.</p> <p>21 Q If this were a jury case and you were</p> <p>22 explaining to a layman what your job was, would</p> <p>23 you please explain it in those terms so that a</p>



Emmett M. Pollard

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5 (Pages 14 to 17)

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1 layman would understand what a Director of  
 2 Organization Development and Learning is?  
 3 A It had the responsibility for  
 4 understanding the skill development needs of the  
 5 workforce and working on putting programs in place  
 6 to address those skill needs, responsibilities for  
 7 understanding the systems that were needed out of  
 8 HR, to provide management with information on  
 9 performance and talent.  
 10 Q And provide -- I got systems needed out  
 11 of HR. And then what was the next thing you said?  
 12 A Information on performance and talent.  
 13 Q If you left out the systems part, would  
 14 what you were doing be to identify the skills that  
 15 you needed to train your workforce to be able to  
 16 accomplish and then develop a method of training  
 17 your workforce to accomplish those skills?  
 18 MR. PECAU:  
 19 I object to the form of the  
 20 question. Go ahead and answer if  
 21 you can.  
 22 THE WITNESS:  
 23 I don't know how you can do that. I

Page 15

1 don't know.  
 2 BY MR. HUDSON:  
 3 Q Well, when you say that you wanted to  
 4 identify the skills needed, what does that mean?  
 5 A Well, what we did was develop competency  
 6 models on positions, understand the competency  
 7 requirements of jobs. We would go in and study  
 8 then those competencies to understand high  
 9 performer behaviours.  
 10 And then we would develop our training  
 11 programs to try to replicate what a person needed  
 12 to learn to be a high performer.  
 13 Q Okay. How would you develop the  
 14 competency models?  
 15 A We developed a process that would take  
 16 about three months per model. It began with basic  
 17 job analysis work, where you would go out in the  
 18 field, talk to folks to try to determine, you  
 19 know, the --  
 20 Q I'm going to interrupt you only because  
 21 I asked a question that I don't need an answer to  
 22 and it's going to require a lot of time. Which  
 23 jobs within Regions did you develop competency

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1 models for?  
 2 A At last count, it was about sixty jobs  
 3 that covered eighty percent of what we'd call high  
 4 incumbent positions.  
 5 Q What positions?  
 6 A High incumbent. It would be the jobs  
 7 that you had the most folks in. So tellers,  
 8 customer service representatives, assistant branch  
 9 managers, branch managers, group sales managers,  
 10 relationship bankers, commercial bankers, trust  
 11 administrators, IT systems programmers, HR  
 12 managers, accountants, auditors. I don't think we  
 13 got into the legal force though.  
 14 Q They are hard to train, aren't they?  
 15 MR. PECAU:  
 16 Like cats.  
 17 BY MR. HUDSON:  
 18 Q Was it your job attempt to improve,  
 19 through training, the competency of variably all  
 20 of the Regions employees?  
 21 A I would classify that as management's  
 22 job. I supported management in that effort.  
 23 Q And was the training that you oversaw,

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1 coordinated or whatever you did with respect to  
 2 that training designed specifically to increase  
 3 the competency of the Regions workforce?  
 4 A Yes, sir.  
 5 Q Was it designed for any other purpose?  
 6 A No.  
 7 Q Okay. Was Regions University purely a  
 8 corporate training program?  
 9 A I'm not sure what you mean by "corporate  
 10 training program".  
 11 Q Well, you had used that term earlier and  
 12 told us, as I remember, of a man who now has come  
 13 over from AmSouth and was in charge of their  
 14 corporate training program.  
 15 A You can, you know, kind of use corporate  
 16 training to -- I just want to make sure we didn't  
 17 say corporate training is just over the corporate  
 18 part of the bank. "Corporate" in this case would  
 19 mean the whole bank.  
 20 Q The whole bank.  
 21 A Yes.  
 22 Q And is that purely what this program  
 23 was, was a bank training program for bank



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6 (Pages 18 to 21)

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1 employees?

2 A That's right.

3 Q And has Regions University ever offered  
4 any training or service of any kind or nature to  
5 anyone who is not an employee of the bank?6 A There would be various outreaches from  
7 the organization that would provide training.

8 Q Okay.

9 A Not out of my area though. This would  
10 just be individuals that were asked to, you know,  
11 step into a civic responsibility and provide a  
12 program to a local school or to an organization  
13 that wanted to know more information about  
14 banking.15 Q Maybe this is an unfair  
16 characterization. But it seems to me that's more  
17 sort of a show-and-tell kind of presentation. Is  
18 that correct?

19 MR. PECAU:

20 I object to the form of the  
21 question.

22 THE WITNESS:

23 No. I think it was -- I don't know

Page 19

1 how to answer that.

2 BY MR. HUDSON:

3 Q Okay. Would it be your testimony that  
4 Regions University would actually go out into the  
5 public and use the name Regions University and  
6 offer educational training services to the public?

7 A No. That was not the purpose of it.

8 Q Is Regions University accredited in any  
9 state as an educational institution?

10 A I don't believe so.

11 Q Has Regions University applied for and  
12 received an exemption from any state in order to  
13 conduct its affairs?

14 MR. PECAU:

15 Object. I object to the form of the  
16 question.

17 THE WITNESS:

18 I don't know how to answer that.

19 BY MR. HUDSON:

20 Q Well, to your knowledge, has Regions  
21 University applied for and obtained an exemption  
22 from any authority in any state in order to  
23 conduct its business?

Page 20

1 MR. PECAU:

2 Objection, form.

3 BY MR. HUDSON:

4 Q You can answer the question.

5 A I don't know.

6 Q Okay. At the time that you were the  
7 Director of Organization Development and Learning  
8 in 2003, if it were necessary for Regions  
9 University to obtain an exemption from any state  
10 in order to conduct its business, would it have  
11 been your responsibility to obtain that  
12 exemption?

13 MR. PECAU:

14 That's a long question. Could you  
15 read that back?

16 THE REPORTER:

17 "At the time that you were the  
18 Director of Organization Development  
19 and Learning in 2003, if it were  
20 necessary for Regions University to  
21 obtain an exemption from any state  
22 in order to conduct its business,  
23 would it have been your

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1 responsibility to obtain that  
2 exemption?"

3 MR. PECAU:

4 I object to the form.

5 THE WITNESS:

6 In 2003, Regions University -- it  
7 didn't take shape until 2004.

8 BY MR. HUDSON:

9 Q Okay. And in 2004, did you still hold  
10 the position as Director of Organization  
11 Development and Learning?

12 A Yes, sir.

13 Q And did you hold that position when  
14 Regions University took shape?

15 A Yes.

16 Q At that time, if an exemption were  
17 required from any state in order for Regions  
18 University to conduct its business, would it have  
19 been your responsibility to obtain that  
20 exemption?

21 MR. PECAU:

22 Objection as to form.

23 THE WITNESS:



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Victor Hudson

7 (Pages 22 to 25)

<p style="text-align: right;">Page 22</p> <p>1 I don't know what any of that would</p> <p>2 have entailed. And so if it would</p> <p>3 have been my responsibility, I don't</p> <p>4 know.</p> <p>5 BY MR. HUDSON:</p> <p>6 Q Okay. You just know you didn't do it.</p> <p>7 A I didn't -- no.</p> <p>8 Q Okay. And you don't know if anybody</p> <p>9 else did?</p> <p>10 A I don't know if it was supposed to be</p> <p>11 done.</p> <p>12 Q Okay. To your knowledge, was any</p> <p>13 consideration given by anyone at the bank to the</p> <p>14 use of the term "university" as it was used by the</p> <p>15 organization, entity or whatever you might call</p> <p>16 it, quote "Regions University" close quote?</p> <p>17 MR. PECAU:</p> <p>18 Object to the form of the question.</p> <p>19 THE WITNESS:</p> <p>20 I don't understand the question.</p> <p>21 BY MR. HUDSON:</p> <p>22 Q Are you familiar with entities that</p> <p>23 regulate banks?</p>	<p style="text-align: right;">Page 24</p> <p>1 question.</p> <p>2 THE WITNESS:</p> <p>3 I have no knowledge.</p> <p>4 BY MR. HUDSON:</p> <p>5 Q To your knowledge, has anyone at the</p> <p>6 bank investigated whether or not the bank is</p> <p>7 permitted to use the word "university" without</p> <p>8 being appropriately licensed?</p> <p>9 MR. PECAU:</p> <p>10 Same objection.</p> <p>11 THE WITNESS:</p> <p>12 I have no knowledge.</p> <p>13 BY MR. HUDSON:</p> <p>14 Q Okay. You had mentioned some outreach</p> <p>15 programs. Do you recall when we talked about</p> <p>16 those?</p> <p>17 A Uh-huh.</p> <p>18 Q I've changed the subject. Can you give</p> <p>19 me the names, titles or descriptions of the</p> <p>20 outreach programs to which you refer?</p> <p>21 A The ones that I remember were designed</p> <p>22 by the American Bankers Association. And they</p> <p>23 were built in modules.</p>
<p style="text-align: right;">Page 23</p> <p>1 A No, sir.</p> <p>2 Q Any of them? I mean, do you know the</p> <p>3 FDIC exists?</p> <p>4 A I know the name, yes.</p> <p>5 Q And you know regulators come into the</p> <p>6 bank. You know everybody gets nervous when they</p> <p>7 come in?</p> <p>8 A Yes, sir.</p> <p>9 Q Do you have any personal knowledge about</p> <p>10 whether or not those who are not regulated by</p> <p>11 federal authority are prohibited from using the</p> <p>12 word "bank?"</p> <p>13 MR. PECAU:</p> <p>14 I object to the form.</p> <p>15 THE WITNESS:</p> <p>16 I have no knowledge, no.</p> <p>17 BY MR. HUDSON:</p> <p>18 Q Do you have any knowledge as to whether</p> <p>19 those who are not appropriately approved by state</p> <p>20 authority are prohibited from using the word</p> <p>21 "university?"</p> <p>22 MR. PECAU:</p> <p>23 I object to the form of the</p>	<p style="text-align: right;">Page 25</p> <p>1 Q I'm sorry?</p> <p>2 A They were built in modules, learning</p> <p>3 modules.</p> <p>4 Q Modules.</p> <p>5 A So they would have kind of a complete</p> <p>6 package, would have facilitator's guide, probably</p> <p>7 a video, handouts, et cetera.</p> <p>8 And the subject matter I remember was around</p> <p>9 personal banking, you know, what was a checking</p> <p>10 account, what was the life of a check, the general</p> <p>11 products that a bank offers; loans, checking</p> <p>12 accounts, investments. Another one was, you know,</p> <p>13 how to save money. Those are the ones I recall.</p> <p>14 Q Do those modules still exist?</p> <p>15 A I don't know.</p> <p>16 Q I don't want to limit my question. So</p> <p>17 I'm really looking for some descriptive term to</p> <p>18 describe the training materials to which you have</p> <p>19 referred. Is there a descriptive term that I</p> <p>20 could use that, if I asked for them in an</p> <p>21 appropriate request for production, you would know</p> <p>22 what I was asking for?</p> <p>23 Let me tell you what I'm driving at. In the</p>



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8 (Pages 26 to 29)

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<p>1 case, I may ask your lawyers to let me see these</p> <p>2 materials. And when I ask for them, I want to ask</p> <p>3 for them in a way that you'll know what I'm</p> <p>4 talking about.</p> <p>5 A All I would know is that they would be</p> <p>6 materials produced by the American Bankers</p> <p>7 Association.</p> <p>8 Q And if we call them that, you would know</p> <p>9 what we are talking about, these materials that</p> <p>10 you and I are conversationally discussing now?</p> <p>11 A That's what I remember, yeah.</p> <p>12 Q Okay. Good. Are there any other</p> <p>13 programs you've used in outreach that occur to you</p> <p>14 other than the American Bankers Association</p> <p>15 programs?</p> <p>16 A It wasn't my job to be involved in</p> <p>17 outreach. So, not to my knowledge.</p> <p>18 Q Okay. Whose job would outreach have</p> <p>19 been? And I know I've asked -- when I've asked</p> <p>20 that question, I guess I would begin in 2004 and</p> <p>21 not go back farther than that.</p> <p>22 A You know, the way I remember that</p> <p>23 working is, it was mainly done by folks that had a</p>	<p>1 I guess the answer would be yes. It wasn't under</p> <p>2 your control and it wasn't under their auspices.</p> <p>3 Is that right?</p> <p>4 A No. That's correct.</p> <p>5 Q Thank you. We have marked deposition</p> <p>6 notices as Exhibits Seven and Eight. Have you had</p> <p>7 an opportunity to see these before today?</p> <p>8 One is your individual deposition notice and</p> <p>9 the other is what lawyers refer to as a 30(b)(5);</p> <p>10 30(b)(6) notice. And the one that is the</p> <p>11 30(b)(5); 30(b)(6) notice has a list of things</p> <p>12 that we want to ask you about.</p> <p>13 A Mr. Pecau, you know, showed me some</p> <p>14 paperwork so I didn't have it in my hand.</p> <p>15 Q I'm just asking you if you've seen it</p> <p>16 before.</p> <p>17 A I don't know.</p> <p>18 Q Okay. I believe that you are being</p> <p>19 designated on the categories listed on Exhibit</p> <p>20 Eight except for category Six. Is that correct?</p> <p>21 MR. PECAU:</p> <p>22 I'll answer that question. That's</p> <p>23 correct.</p>
Page 27	Page 29
<p>1 relationship with the community. So it would be a</p> <p>2 branch manager or a regional sales manager with</p> <p>3 branches reporting to them.</p> <p>4 That person probably -- it wasn't all of</p> <p>5 them, but for some that also had a relationship</p> <p>6 with the state banking association, or that would</p> <p>7 be called upon by a member of the ABA. It's all</p> <p>8 volunteer. So there wasn't any form or fashion,</p> <p>9 if you will.</p> <p>10 But those who had a desire or, you know, saw</p> <p>11 it as something that they could do to contribute</p> <p>12 back to the community would be the ones that would</p> <p>13 usually tend to step up. So passed down by word</p> <p>14 of mouth, passed down by relationships, passed</p> <p>15 down by association, newsletters.</p> <p>16 So, you know, the materials are the ones that</p> <p>17 were kind of passed around. I mean, there wasn't</p> <p>18 any kind of system that I'm aware of.</p> <p>19 Q Sure. In any event, that wouldn't have</p> <p>20 been either under the auspices of Regions</p> <p>21 University or under your supervision or control.</p> <p>22 A No.</p> <p>23 Q Actually, it was a double negative. So</p>	<p>1 BY MR. HUDSON:</p> <p>2 Q Did you review documents in preparation</p> <p>3 for your deposition here today?</p> <p>4 A I did go back and look at my own files</p> <p>5 that I've had over the years.</p> <p>6 Q Did you bring those files with you</p> <p>7 today?</p> <p>8 A No.</p> <p>9 Q Did you realize that they had been</p> <p>10 requested that you bring them here today?</p> <p>11 A No.</p> <p>12 Q Can you describe to me the files that</p> <p>13 you looked at? Let's do something as a shorthand</p> <p>14 rendition. I'm going to take that question back</p> <p>15 just for a moment.</p> <p>16 We were given what was marked as Exhibit</p> <p>17 Four. And my guess is that it probably came from</p> <p>18 your files.</p> <p>19 A These would be the files.</p> <p>20 Q Were there any files that you looked at</p> <p>21 that are not included in Exhibit Four?</p> <p>22 A I'm sorry. I don't understand the</p> <p>23 question.</p>



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9 (Pages 30 to 33)

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1 Q Your testimony, as I recall it, is that  
2 in preparation for your deposition today, you  
3 looked at your files. And I've shown you Exhibit  
4 Four. And my question is, is Exhibit Four the  
5 entirety of the file that you looked at before you  
6 came here to testify today?

7 A Yes, sir.

8 Q Okay.

9 A These are the files I looked at.

10 Q Okay. And did you look at anything else  
11 before you came here to testify today in  
12 preparation for your testimony?

13 A No, sir.

14 Q Did you discuss your testimony, your  
15 proposed testimony or any aspect of your testimony  
16 with anyone except your lawyers?

17 A No, sir.

18 Q Is there any plan or proposal to market  
19 Regions University outside of the bank?

20 MR. PECAU:

21 I object to the form of the  
22 question.

23 THE WITNESS:

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1 I don't know.

2 BY MR. HUDSON:

3 Q If there is, you don't know about it?

4 A I don't know what you really mean by  
5 "market" outside the bank.

6 Q Is there any plan or proposal to use  
7 Regions University for anything except the bank's  
8 internal corporate training program?

9 A Not that I'm aware of.

10 Q Do you advertise in any way the  
11 existence or services of Regions University?

12 A Would you define the word "advertise?"

13 Q I don't know if I can. What I would do  
14 is ask you what your understanding of the word  
15 "advertising" is. And you can tell me that and  
16 then we can work with that.

17 A If it's to communicate and display  
18 information about the bank in order to attract  
19 individuals to join the bank, the answer would be  
20 yes.

21 Q All right. And how do you do that and  
22 where do you do that?

23 A There are brochures that are used by

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1 recruiters as they, you know, market the bank to  
2 prospective candidates for hire.

3 Q I'll mark these in a moment. But just  
4 to get us on the same track, are these examples of  
5 the sort of brochures you're speaking of?

6 A I don't see what I was speaking of in  
7 here.

8 Q Would you describe the brochures that  
9 you're speaking of so that we can ask for them to  
10 be produced, as well? If we just called them  
11 brochures, would that be enough?

12 MR. PECAU:

13 Well, they have been produced.

14 MR. HUDSON:

15 Have they?

16 MR. PECAU:

17 Yeah.

18 MR. HUDSON:

19 And I didn't recognize them. Okay.

20 BY MR. HUDSON:

21 Q Then would you describe to me the  
22 brochures?

23 A It's been so long since I've seen those

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1 -- I remember on the phone --

2 MR. PECAU:

3 Let's go off the record.

4 WHEREUPON, THERE WAS AN OFF-THE-RECORD  
5 DISCUSSION.

6 BY MR. HUDSON:

7 Q Mr. Pollard, to your knowledge, has  
8 Regions ever been approved by a regional  
9 accrediting body recognized by the U.S. Secretary  
10 of Education or the U.S. Department of Education?

11 A Not to my knowledge.

12 Q To your knowledge, has Regions ever  
13 filed for recognition or exemption under the post  
14 secondary education laws of any particular state  
15 to use the term "Regions University" or to operate  
16 its program for Regions University?

17 A Not to my knowledge.

18 Q To your knowledge, has Regions ever  
19 sought or obtained authorization from any state to  
20 use the term "university" for its training  
21 program?

22 A Not to my knowledge.

23 Q To your knowledge, has Regions ever



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10 (Pages 34 to 37)

<p style="text-align: right;">Page 34</p> <p>1 sought or obtained authorization from any state to</p> <p>2 publish the use of the term "university" as it</p> <p>3 apparently has done in Exhibits Nine, Ten and</p> <p>4 Eleven?</p> <p>5 A Would you repeat that question, please?</p> <p>6 Q Sir?</p> <p>7 A Would you repeat the question?</p> <p>8 Q To your knowledge, has Regions ever</p> <p>9 obtained authority from any state to authorize it</p> <p>10 to publish the term "university" as it apparently</p> <p>11 has done in Exhibits Nine, Ten and Eleven?</p> <p>12 A Not to my knowledge.</p> <p>13 Q Okay. In fact, do Exhibits Nine, Ten</p> <p>14 and Eleven reflect that Regions Asset Company</p> <p>15 and/or Regions Financial Corporation have</p> <p>16 published to the public the fact that it is using</p> <p>17 the term "university?"</p> <p>18 A If that question is to mean by the fact</p> <p>19 that those brochures are passed out to non-bank</p> <p>20 people in an effort to solicit, you know, them to</p> <p>21 consider joining the bank, making them public</p> <p>22 solicitations and awareness, then, yes.</p> <p>23 Q Has the bank made any effort to limit</p>	<p style="text-align: right;">Page 36</p> <p>1 word "university" outside of recruiting.</p> <p>2 Q Outside of trying to attract new hires?</p> <p>3 A To my knowledge.</p> <p>4 Q Okay. Now, please, if you will,</p> <p>5 identify for us Exhibits Nine, Ten and Eleven.</p> <p>6 A Nine is a recruiting brochure. Ten is a</p> <p>7 brochure, I believe, that's used in new employee</p> <p>8 orientation.</p> <p>9 Q In what?</p> <p>10 A In new employee orientation.</p> <p>11 Q So Ten would not be publicly</p> <p>12 disseminated. That would be used within the bank?</p> <p>13 A My knowledge is that it was used for</p> <p>14 orientation programs. It could have been used for</p> <p>15 something else but I'm not aware of it.</p> <p>16 Q All right, sir. But Nine would have</p> <p>17 been used publicly?</p> <p>18 A Yes.</p> <p>19 Q Okay.</p> <p>20 A And Eleven is a copy of a web page.</p> <p>21 Q And is that publicly available?</p> <p>22 A Yes.</p> <p>23 Q Okay. Now, your attorney was kind</p>
<p style="text-align: right;">Page 35</p> <p>1 its publication of its use of the term</p> <p>2 "university" such as is reflected in Exhibits</p> <p>3 Nine, Ten and Eleven, or elsewhere, to trying to</p> <p>4 attract new employees to the bank?</p> <p>5 MR. PECAU:</p> <p>6 I object to the form of the</p> <p>7 question.</p> <p>8 THE WITNESS:</p> <p>9 I don't understand the question.</p> <p>10 BY MR. HUDSON:</p> <p>11 Q To the extent that the bank has made</p> <p>12 public its use of the term "university", has the</p> <p>13 use of that been limited to its attempt to attract</p> <p>14 new hires?</p> <p>15 A I don't know.</p> <p>16 Q Do you know of any other reason that the</p> <p>17 bank has made public its use of the word</p> <p>18 "university" except in an attempt to attract new</p> <p>19 hires as is reflected in Exhibits Nine, Ten and</p> <p>20 Eleven?</p> <p>21 A That would be what I would think would</p> <p>22 be -- that would be what I'm aware of. I'm not</p> <p>23 aware of any other efforts that they've used the</p>	<p style="text-align: right;">Page 37</p> <p>1 enough to give us Nine, Ten and Eleven because I</p> <p>2 didn't have them here this morning, and</p> <p>3 represented that this may or may not be all of the</p> <p>4 brochures that were distributed outside the bank.</p> <p>5 In your recollection, were there brochures</p> <p>6 distributed outside the bank touting the existence</p> <p>7 of Regions University other than Exhibit Nine?</p> <p>8 A I believe that there have been other</p> <p>9 brochures that I have seen over the last three or</p> <p>10 four years that communicate, you know, Regions</p> <p>11 University, especially in its connection with</p> <p>12 careers at the company. And they could have been</p> <p>13 used for recruiting.</p> <p>14 Q Could have been? Sir?</p> <p>15 A Could have been used for recruiting.</p> <p>16 Q Okay. And if they were used in any</p> <p>17 respect, in conjunction with somebody who is not</p> <p>18 an employee of the bank, the purpose would have</p> <p>19 been recruiting. Is that correct?</p> <p>20 A Yes, to my knowledge.</p> <p>21 Q Okay. Now, when I'm looking at Exhibit</p> <p>22 Nine, the reference I see -- and there may be</p> <p>23 more. I just skimmed it. The reference I see to</p>



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11 (Pages 38 to 41)

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1 Regions University is on what has been Bates stamp  
 2 numbered 12341. Do you see that?  
 3 A Uh-huh.  
 4 MR. PECAU:  
 5 He can't take down "uh-huh". So  
 6 could you say it?  
 7 THE WITNESS:  
 8 Yes. I see that. Yes.  
 9 BY MR. HUDSON:  
 10 Q Thank you. Would you quickly thumb  
 11 through there and just see if you see any other  
 12 reference to Regions University or RU?  
 13 A That's the one notice of Regions  
 14 University that I see.  
 15 Q And would you please look at Exhibit  
 16 Eleven, Bates stamp number 126, that says  
 17 "Regions1Source and RU Learning (Regions  
 18 University Learning)" on it? Do you see that?  
 19 A Yes, sir.  
 20 Q Is there any other place to your  
 21 recollection as you sit here today where RU  
 22 Learning or Regions University appears on a  
 23 website that is available to the public?

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1 A Yes, sir.  
 2 Q Where is that?  
 3 A It's on a link off of Regions -- Life at  
 4 Regions. There's a place, I think that you click  
 5 where it says "Training." And then it will take  
 6 you to another place where you can click on a link  
 7 for RU Learning.  
 8 Q And as you recall, when you click that  
 9 link, what does that bring up?  
 10 A As I recall, it brings up -- I believe  
 11 it's the RU Learning site page.  
 12 Q RU Learning what?  
 13 A The site page, the home page.  
 14 MR. PECAU:  
 15 I think there is some confusion  
 16 going on.  
 17 MR. HUDSON:  
 18 I think there is too.  
 19 BY MR. HUDSON:  
 20 Q The testimony yesterday, as I understood  
 21 it -- and it may be inaccurate. But as I  
 22 understood it -- and my understanding may be wrong  
 23 -- was that the Regions University home page, the

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1 training that is available online is available to  
 2 employees and it's password protected. Is that  
 3 correct?  
 4 A It's -- well, my understanding is it's  
 5 available 24/7.  
 6 Q Right.  
 7 A And you can access it from your home.  
 8 Q If you're an employee of Regions.  
 9 A If you're an employee of Regions, yes.  
 10 Q What I'm really asking about is what the  
 11 general public can get to.  
 12 A Okay. Yeah. I'm not aware of anything  
 13 that the general public can see then.  
 14 Q All right. And is there, in your  
 15 recollection, any reference to Regions University,  
 16 RU Learning or RU that the general public's eyes  
 17 would see except for perhaps this reference on  
 18 Defendant's Exhibit Eleven?  
 19 A That would be my understanding.  
 20 Q Okay. And does Regions have web pages  
 21 and links to its human resources department?  
 22 A I believe so.  
 23 Q At one point, did your responsibilities

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1 also include human resources?  
 2 A Not at Regions.  
 3 Q Okay. What I'm curious about -- and  
 4 maybe you can help me with it -- on Exhibit Eleven  
 5 -- I think you told us it was your belief that  
 6 Exhibit Eleven is available to the general  
 7 public. And I don't want to be argumentative.  
 8 But Exhibit Eleven looks like something that  
 9 would go to the employees that says "Let's Get  
 10 Started", and it tells employees how to go about  
 11 doing things. Is that correct?  
 12 A It looks like it's information about the  
 13 company, www.regions.com. I believe  
 14 www.regions.com is a public website.  
 15 Q Okay. I'm no tech guy. I'm in real  
 16 trouble with it. You may be too. And I guess  
 17 we'll ultimately just get somebody in front of the  
 18 computer and pull up what they can. But what it  
 19 says is "regions.com" and then it says "/welcome/  
 20 lets\_get\_started". It has more than that in that  
 21 address.  
 22 Do you know as you sit here today whether or  
 23 not that full address on this page, in fact, is



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12 (Pages 42 to 45)

<p style="text-align: right;">Page 42</p> <p>1 available to the general public or is something</p> <p>2 that is available to Regions people?</p> <p>3 A No, not for sure.</p> <p>4 Q Okay.</p> <p>5 A I'd have to go on there to see. What I</p> <p>6 do know is that usually when you see -- when</p> <p>7 you're looking at something like that -- and</p> <p>8 again, I'm not a tech person either -- it's</p> <p>9 usually HTTPS, which indicates it's a secured</p> <p>10 server. That doesn't have an S beside the P.</p> <p>11 Q So that normally wouldn't be a secure</p> <p>12 server?</p> <p>13 A That address would be -- if it had an S</p> <p>14 on it, it would be a secured server.</p> <p>15 Q And just assuming that this may be</p> <p>16 publicly available, Exhibit Eleven, in your</p> <p>17 capacity as operating the Regions University and</p> <p>18 being in charge of learning -- I don't want to</p> <p>19 mischaracterize it -- but as you previously</p> <p>20 testified, can you think of any reason that you</p> <p>21 would make available to the general public</p> <p>22 information about how to get started as an</p> <p>23 employee at Regions?</p>	<p style="text-align: right;">Page 44</p> <p>1 its training online. Am I correct in that?</p> <p>2 A Yes, sir.</p> <p>3 Q Is training also conducted by your</p> <p>4 corporate training program that is not online?</p> <p>5 A Yes, sir.</p> <p>6 Q And where is that training conducted?</p> <p>7 A It would usually be within the footprint</p> <p>8 of the company. And so Regions is in sixteen</p> <p>9 states. And so the training could be delivered</p> <p>10 anywhere within those sixteen states.</p> <p>11 Q Okay. What physical locations are</p> <p>12 typically used?</p> <p>13 A For the instructor-lead training, there</p> <p>14 are quite a few, we'd call, training labs. They'd</p> <p>15 have classroom spaces so they would have your</p> <p>16 classic teller training.</p> <p>17 Q Owned by the company?</p> <p>18 A Owned by the company. We also use</p> <p>19 external sites, like the Marriott Conference</p> <p>20 Center here in Prattville. So we've got -- we've</p> <p>21 probably used that several times in the last</p> <p>22 couple of years to deliver executive leadership</p> <p>23 courses.</p>
<p style="text-align: right;">Page 43</p> <p>1 A I think it would be a good way to show</p> <p>2 the general public that the bank has a process in</p> <p>3 which, you know, if you come join the bank, that</p> <p>4 we can take care of you from day one. So it would</p> <p>5 -- you know, I could see where it could be used as</p> <p>6 a good recruiting tool.</p> <p>7 Q And we'll just have to find out what it</p> <p>8 is. You can't tell us. Is that correct?</p> <p>9 A That's correct.</p> <p>10 Q Okay. Now, when we looked at Exhibit</p> <p>11 Eleven earlier, I asked you to look at Bates stamp</p> <p>12 126 where it says "Human Resources and training</p> <p>13 systems. Two of these systems you will find</p> <p>14 particularly helpful is Regions1Source and RU</p> <p>15 Learning (Regions University Learning). Is there</p> <p>16 any link from that to anywhere else?</p> <p>17 A On that page?</p> <p>18 Q Yes.</p> <p>19 A I don't know.</p> <p>20 Q Okay. If somebody wanted to test me on</p> <p>21 this, I'd fail miserably. We'll just have to ask</p> <p>22 somebody that knows about it. I gather from your</p> <p>23 testimony that Regions University conducts some of</p>	<p style="text-align: right;">Page 45</p> <p>1 Q Are there any other places that you can</p> <p>2 think of that are used? I'm not asking for every</p> <p>3 conference center that you rent. But I gather you</p> <p>4 rent conference centers for that purpose.</p> <p>5 A Yes, sir.</p> <p>6 Q Is there any other place other than</p> <p>7 these company-owned facilities or facilities that</p> <p>8 you rent specifically for the purpose of training</p> <p>9 your employees that are used?</p> <p>10 A Yes, sir.</p> <p>11 Q What are they?</p> <p>12 A Well, the conference centers.</p> <p>13 Q My question was so awkward, I</p> <p>14 apologize. Am I correct in saying that you</p> <p>15 operate this corporate training program when you</p> <p>16 teach physically and not online either at company-</p> <p>17 owned facilities or at facilities you specifically</p> <p>18 rent for that purposes?</p> <p>19 A Yes, sir.</p> <p>20 Q And there aren't any other places that</p> <p>21 you do it that you can think of today?</p> <p>22 A Not to my knowledge.</p> <p>23 Q Okay. Are your employees required to</p>



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13 (Pages 46 to 49)

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1 take corporate training?

2 A There are mandatory curriculum that must  
3 be completed for some job families. And then I  
4 guess everyone is -- is subjected to having to  
5 complete compliance training. So, I guess the  
6 answer would be yes.

7 Q Do you issue any diplomas or  
8 certificates upon completion of any course or any  
9 part of the training?

10 A Yes, sir.

11 Q Which? Diplomas or certificates, or  
12 both?

13 A Certificates.

14 Q And would you tell me the typical form  
15 of the certificate, what it would say?

16 A It would say something, in recognition  
17 of completion of a certain course, you know, this  
18 certificate is presented to, the person's name,  
19 and it would be signed by the instructor. You  
20 know, it could be signed by the chairman of the  
21 bank. Just depending on what the course is.

22 Q All right. Capable of being framed?

23 A Yes, sir.

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1 Q And does the bank intentionally prepare  
2 the certificates in a way that they would be  
3 attractive if framed?

4 A Yes, sir.

5 Q And have you seen them framed and hung  
6 on walls?

7 A Yes, sir.

8 Q Have you seen that frequently?

9 A Yes, sir.

10 Q Have you seen people display them  
11 outside the bank?

12 A I'm not -- I don't remember seeing any  
13 outside the bank.

14 Q Does the bank allow its employees to  
15 represent to others that they have completed  
16 courses of study at Regions University?

17 A I would answer that as, we have produced  
18 transcripts for folks that have needed to prove to  
19 an association that they have completed certain  
20 numbers of hours of course work to keep their --  
21 whatever it is, you know, like a CPA, valid.

22 Q So would you please tell me more about  
23 the transcripts that are produced? Would you

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1 describe one such transcript?

2 A The ones I've seen would have their  
3 name. Below their name, they would have the list  
4 of courses that they would have completed, the  
5 dates that they would have completed and the  
6 amount of contact hours that that course consisted  
7 of.

8 Q And those transcripts might be used, for  
9 instance, in aid of obtaining a CPA? Is that what  
10 you said?

11 A Well, the CPA -- to maintain the CPA  
12 license, you have to have so many hours of --

13 Q Continuing learning?

14 A Yes, continuing learning on a one-year  
15 or three-year basis. So some courses we offer  
16 have satisfied those requirements in the past.

17 Q And for what purposes other than these  
18 CPA Requirements have you produced transcripts?

19 A That's -- that's -- that's pretty much  
20 what I remember that we've done for folks that  
21 have said, I need to have a record of course work  
22 that I've taken. It's usually for some kind of an  
23 association licensure that they have to provide

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1 recognition of training taken.

2 Q And in conjunction with their  
3 professional licensure?

4 A Yes, sir.

5 Q Have you provided transcripts to schools  
6 or colleges?

7 A Not that I'm aware of.

8 Q Are any steps taken by the bank, to your  
9 knowledge, to prevent such transcripts from being  
10 presented by graduates of Regions University to  
11 schools or colleges?

12 MR. PECAU:

13 I object to the form of the  
14 question.

15 THE WITNESS:

16 Could you repeat that, please?

17 THE REPORTER:

18 "Are any steps taken by the bank, to  
19 your knowledge, to prevent such  
20 transcripts from being presented by  
21 graduates of Regions University to  
22 schools or colleges?"

23 THE WITNESS:



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14 (Pages 50 to 53)

Page 50	Page 52
<p>1 I don't know how to answer that.</p> <p>2 I'm not sure what a graduate from</p> <p>3 Regions University is.</p> <p>4 BY MR. HUDSON:</p> <p>5 Q Fair enough. Are any steps taken by the</p> <p>6 bank, to your knowledge, to prevent attendees at</p> <p>7 Regions University from presenting transcripts of</p> <p>8 their attendance at Regions University to schools</p> <p>9 or colleges?</p> <p>10 MR. PECAU:</p> <p>11 I object to the form of the</p> <p>12 question.</p> <p>13 THE WITNESS:</p> <p>14 I'm not aware of any.</p> <p>15 BY MR. HUDSON:</p> <p>16 Q Okay. Are attendees at Regions</p> <p>17 University encouraged by the bank to let members</p> <p>18 of the general public know that they've attended</p> <p>19 Regions University?</p> <p>20 A Would you repeat that question?</p> <p>21 THE REPORTER:</p> <p>22 "Are attendees at Regions University</p> <p>23 encouraged by the bank to let</p>	<p>1 attention that former employees of the bank have</p> <p>2 represented on their transcripts that they have</p> <p>3 attended Regions University?</p> <p>4 MR. PECAU:</p> <p>5 I object to the form of the</p> <p>6 question.</p> <p>7 THE WITNESS:</p> <p>8 It's not been brought to my</p> <p>9 knowledge.</p> <p>10 BY MR. HUDSON:</p> <p>11 Q Would you be surprised to learn that?</p> <p>12 MR. PECAU:</p> <p>13 Object to the question.</p> <p>14 THE WITNESS:</p> <p>15 I'm not sure what "surprised" would</p> <p>16 be.</p> <p>17 BY MR. HUDSON:</p> <p>18 Q Good answer. If you want a break at any</p> <p>19 time, just say so.</p> <p>20 A Thank you.</p> <p>21 Q Am I correct that the bank's Regions</p> <p>22 University does not offer educational services of</p> <p>23 any kind to the general public?</p>
Page 51	Page 53
<p>1 members of the general public know</p> <p>2 that they've attended Regions</p> <p>3 University?"</p> <p>4 MR. PECAU:</p> <p>5 I object to the form of the</p> <p>6 question.</p> <p>7 THE WITNESS:</p> <p>8 I'm not aware of that.</p> <p>9 BY MR. HUDSON:</p> <p>10 Q Are any steps taken within your</p> <p>11 knowledge to caution attendees of Regions</p> <p>12 University not to represent to members of the</p> <p>13 public that they have attended Regions</p> <p>14 University?</p> <p>15 MR. PECAU:</p> <p>16 I object to the form of the</p> <p>17 question.</p> <p>18 THE WITNESS:</p> <p>19 Not to my knowledge.</p> <p>20 BY MR. HUDSON:</p> <p>21 Q Sir?</p> <p>22 A Not to my knowledge.</p> <p>23 Q Okay. Has it been brought to your</p>	<p>1 A If I understand that to mean Regions</p> <p>2 University, Regions University does not offer</p> <p>3 courses to the public.</p> <p>4 Q Since you struggled, does the bank,</p> <p>5 itself, in any way offer educational services to</p> <p>6 the general public?</p> <p>7 A Other than what we've already talked</p> <p>8 about.</p> <p>9 Q These American Bankers courses, that</p> <p>10 sort of thing we talked about?</p> <p>11 A Yeah.</p> <p>12 Q Okay. Has anyone brought to your</p> <p>13 attention, any bank employee brought to your</p> <p>14 attention, that they were confused about whether</p> <p>15 the bank's corporate training program was the same</p> <p>16 as Regions University being operated by the school</p> <p>17 that was formerly Southern Christian University?</p> <p>18 A No associate has brought that to my</p> <p>19 attention.</p> <p>20 Q Sir?</p> <p>21 A No employee has brought that to my</p> <p>22 attention.</p> <p>23 Q The transcripts that you described</p>



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15 (Pages 54 to 57)

Page 54

1 earlier in your testimony, does the name "Regions  
2 University" appear on the transcripts, or do you  
3 recall?

4 A I don't recall.

5 Q If we would like to see those  
6 transcripts, if we just describe them as  
7 "transcripts", would you know what we were  
8 speaking of?

9 A Yes.

10 Q Okay. Do you maintain copies of them  
11 after they're issued?

12 A No.

13 Q Does the bank maintain copies?

14 A No. Those transcripts are created off  
15 of the Learning Management System.

16 Q The what?

17 A The Learning Management system.

18 Q Okay.

19 A And so it maintains the information on  
20 the associate. But there's no hard copies kept.

21 Q Is there an electronic copy of the  
22 transcript that was issued?

23 A I don't think so. I think what you do

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1 -- you create a report and that is essentially a  
2 transcript. And then once you create it, it  
3 disappears. You create it, print it off and it  
4 doesn't exist anymore.

5 Q I'm just trying to visualize this. But  
6 I gather that there is a central place where  
7 electronically, the training records of every  
8 employee are maintained. Is that what you're  
9 saying?

10 A That's the Learning Management System,  
11 yes, sir.

12 Q So what you would do, if, for instance,  
13 I wanted a transcript, you would call up Victor  
14 Hudson in your computer and push a button and it  
15 would print my training transcript.

16 A Yes, sir. You would put in some  
17 parameters, like courses from this date to this  
18 date.

19 Q Okay. And it would print those. And  
20 that's what would be used by somebody, for  
21 instance, for their CPA Licensure?

22 A Yes, sir.

23 Q Has it ever been brought to your

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1 attention that either any employee or former  
2 employee has used those transcripts or information  
3 from those transcripts on any resume?

4 A I think it would be smart if they did.

5 But I don't know if I've ever seen a resume from  
6 someone who had a transcript that used it to  
7 create it.

8 Q They wouldn't give you the resume, would  
9 they?

10 A You know, it would be like, you mean  
11 you're looking for a job outside the bank now?

12 Q That makes good sense. But it's the  
13 kind of information you would expect them to use  
14 on a resume?

15 A I have personally used some of the  
16 courses that I've taken in the past in a similar  
17 kind of situation on a resume. So I would only  
18 say, you know -- you know, we have offered, in the  
19 past, four-week executive development courses.

20 You know, when you complete that, it's a  
21 pretty big deal. And some folks would recognize  
22 that.

23 Q And you get a certificate for that also?

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1 A Yes, sir.

2 Q And that's the sort of certificate that  
3 you might well attach to your resume.

4 A Yes, sir.

5 Q And would the certificate that is issued  
6 now have the name "Regions University" on it?

7 A Not today.

8 Q And I wish I hadn't asked the question  
9 that way. At any point in time, did the  
10 certificates have "Regions University" on them?

11 A I don't know. I'd have to go back and  
12 look at them to answer that.

13 Q Well, do you have any certificates with  
14 Regions University on them?

15 A I mean, they are around the company.  
16 So, you walk into an office, you're likely to see  
17 one, as well as not see one. So when you walk in  
18 an executive's office, if they've been through any  
19 of the executive, you know, workshops, you may see  
20 it. I would have to go around and look.

21 Q Well, I'm really being awkward in my  
22 question. At any time if you looked at a typical  
23 certificate, would it have on its heading or



16 (Pages 58 to 61)

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1 somewhere else, the words "Regions University"?

2 A I'd have to go look.

3 Q You don't remember?

4 A I don't remember.

5 Q Fair enough.

6 A I do remember that some of the  
7 certificates had colleges on them. Now, whether  
8 they would have actually said "Regions  
9 University", I don't know. But I know a lot of  
10 them had like "Retail College", "Commercial  
11 College". Now, if it would have said of the  
12 University, I don't know.

13 Q Each certificate would have on it at  
14 least the college, Retail College, or one of the  
15 others, and may also have Regions University on  
16 it. Is that correct?

17 A It could. There was also another  
18 component of the University called the Leadership  
19 and Sales institute. It could have had that on  
20 it.

21 Q Well, let's look. This may help us a  
22 little and make it easier for us. Look, if you  
23 will, please, sir, at Exhibit Twelve marked for

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1 identification and tell me if you can identify  
2 that.

3 A Yes, sir.

4 Q And it's several pages long. You might  
5 want to thumb through it. The Bates stamp numbers  
6 go from 1403 through 1407.

7 A It brings back memories.

8 Q Pleasant ones. What is it? I don't  
9 know what it is.

10 A This was the original artist renditions  
11 of Regions University logos.

12 Q I think what you just looked at is Bates  
13 stamp number 1404. Is that correct?

14 A All right. This -- that's what all this  
15 is.

16 Q All right. All of that -- this entire  
17 exhibit is the original artist renditions of the  
18 logos?

19 A That we had to choose from.

20 Q All right.

21 A And then we had chose the ones that are  
22 on page 1403.

23 Q Okay.

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1 A I haven't seen these in years.

2 Q But in any event, the ones on 1403 are  
3 the ones that have been chosen?

4 A Yes, sir.

5 Q All right. Now, let me show you Exhibit  
6 Thirteen marked for identification and ask you if  
7 you could tell me what that is.

8 A I recognize the logos but I don't  
9 recognize the pictures.

10 Q Let me tell you, I'm not all that  
11 interested in knowing whether you remember this  
12 particular picture or anything like that.

13 I would think your recollection of what I'm  
14 driving at might be more general and it might be  
15 something like, well, this is typical of the sort  
16 of thing we used for such and such, whatever. But  
17 that's the kind of thing I'm going to ask you  
18 about.

19 A Yeah. That would be my assumption, that  
20 these were, I guess, the ability to start the  
21 development of brochures or it could have been web  
22 pages for the University website. Here's one for  
23 a leader's guide.

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1 So that would have been the front cover of an  
2 instructor's manual. That would, you know,  
3 signify the college that it represented within the  
4 University.

5 Q And those all would have been  
6 distributed internally. Is that correct? Or used  
7 internally and solely internally?

8 A These would be used internally, yes,  
9 sir.

10 Q Look, for instance, at Exhibit Thirteen,  
11 the top one, which is 1300. You see "Regions  
12 University" and under that in smaller letters,  
13 "Retail College". And if you look at Exhibit  
14 Twelve, you find the same logo. Do you see that?

15 A Yes, sir.

16 Q Now, unless it's changed, it looks to me  
17 like the logo that's used when you refer to the  
18 Retail College would be in the format that you see  
19 on Thirteen, Exhibit Thirteen, Bates stamp number  
20 1300. Am I correct in that?

21 A Yes, sir.

22 Q And has that logo changed?

23 A Today?



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17 (Pages 62 to 65)

Page 62

1 Q Yes.

2 A All of them are changes.

3 Q But has it changed yet?

4 A No, sir, it hasn't changed yet.

5 Q Okay. That's good enough. Now, the  
 6 logos that are set forth on Exhibit Twelve, 1403  
 7 are those logos that have been used consistently  
 8 since the coming into existence of Regions  
 9 University as a name for the corporate training  
 10 program? I'm speaking only of 1403.

11 A Yes, sir.

12 Q Okay. And so, for instance, if a  
 13 certificate had Retail College on it, now that you  
 14 look at this, would you expect it to have Regions  
 15 University Retail College in the format of this  
 16 logo?

17 MR. PECAU:

18 I object to the form of the  
 19 question. If you know, answer. If  
 20 you don't --

21 THE WITNESS:

22 Yeah. My understanding would be  
 23 that if it would have Retail College

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1 Q These three leaves that appear on the  
 2 logo that are depicted on Exhibit Twelve, 1403,  
 3 are those similar to the three leaves that are  
 4 depicted in the triangular logo that's used by  
 5 Regions Bank?

6 A Yes, sir.

7 Q Earlier testimony, as I understood it to  
 8 be -- and I'm just asking you if you have the same  
 9 understanding -- is that that was adopted to  
 10 depict the joinder between Union Planters and  
 11 Regions. Do you have any recollection about that?

12 MR. PECAU:

13 Object to the form of the question.

14 BY MR. HUDSON:

15 Q When was the triangle with the three  
 16 leaves first used as a part of the Regions logo?  
 17 I'm speaking now of the bank, or the Regions  
 18 companies, the Regions logo, in your recollection.

19 A In my recollection, it would have been  
 20 in 2004.

21 Q And was there any seminal event that was  
 22 associated with that?

23 A I don't recall.

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1 -- if it be a Retail College  
 2 certificate, this would be what  
 3 would be displayed as a logo.

4 BY MR. HUDSON:

5 Q On that Exhibit Twelve, would you please  
 6 circle what you're indicating would be the logo  
 7 that you expect would be displayed on a  
 8 certificate from the Retail College?

9 A Yes, sir.

10 Q Okay. And similarly, if the certificate  
 11 were issued by the Operations College, the  
 12 Mortgage College, the Corporate Support College,  
 13 the Trust College, the Commercial College or the  
 14 Leadership and Sales Institute, would you expect  
 15 the certificate to bear the corresponding logo  
 16 that appears on Exhibit Twelve, Bates stamp number  
 17 1403?

18 MR. PECAU:

19 Object to the form of the question.

20 THE WITNESS:

21 We would like for it to have had  
 22 that.

23 BY MR. HUDSON:

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1 Q Okay. Do you have any understanding of  
 2 what the significance of these three little leaves  
 3 in this column is that's depicted on Exhibit  
 4 Twelve, 1403?

5 A You know, I've seen things where they  
 6 represented just different concepts, different  
 7 perspectives. But none that I would say would be  
 8 official.

9 Q Sir?

10 A None that I'm aware of that, you know,  
 11 the company puts forth.

12 Q Okay. Look, if you would, please, sir,  
 13 at Exhibit Two that was previously marked in  
 14 another deposition, and also Exhibit Three that  
 15 was previously marked in another deposition.

16 Do you recognize a sign like the one depicted  
 17 in Exhibit Two? I'm not asking you to identify  
 18 Exhibit Two. I'm just asking you to look at the  
 19 picture.

20 A I'm not sure what you're asking.

21 Q Yeah. It's a picture of a bank sign.  
 22 Have you seen one that looked like that before?

23 A Yes, sir, I've seen this before.



18 (Pages 66 to 69)

<p style="text-align: right;">Page 66</p> <p>1 Q Okay. And is that typical of the signs 2 that Regions Bank uses to identify its banks? 3 MR. PECAU: 4 Object to the form of the question. 5 THE WITNESS: 6 This is an old sign, I believe, 7 prior to the changeover. 8 BY MR. HUDSON: 9 Q Now you're pointing to exhibit what, 10 Three? 11 A Three. 12 Q And with the changeover, do you now have 13 on your signs Regions and that little triangle? 14 A Yes, sir. 15 Q Now, when I drove into Montgomery, I saw 16 a big tall building that had Regions on the top 17 and it was written just like it is on Exhibit 18 Two. Have you seen that? 19 A I didn't recognize that. 20 Q You didn't look to see it? 21 A I didn't look to see it. 22 Q Well, if I'm wrong, you tell me. But I 23 think I see a lot of them still that look like</p>	<p style="text-align: right;">Page 68</p> <p>1 towards the one in Exhibit Three? 2 A Yes, sir. 3 MR. PECAU: 4 Object to the form of the question. 5 BY MR. HUDSON: 6 Q The answer is yes? 7 A Yes. 8 Q Thank you. I don't intend to make this 9 a memory contest so I'm asking you to just do as 10 best you can. Would you please, as you can, 11 recite for me the courses or subjects that are 12 offered by the bank's corporate training program, 13 Regions University? 14 A In the areas of leadership, you would 15 have Management Foundations. You would have 16 Exceptional Practices for Managerial -- 17 Q Sir? 18 A Exceptional Practices for Managerial -- 19 for Managers. You would have the Senior 20 Leadership Workshop. You would have Behavioral 21 Interviewing. 22 Q Sir? 23 A Behavioral Interviewing. Performance</p>
<p style="text-align: right;">Page 67</p> <p>1 Exhibit Two. Do you? 2 A That's not something I pay attention to, 3 to be honest with you. 4 Q That's fair enough. But in any event, 5 they are supposed to either look like Two or 6 Three, one or the other? 7 MR. PECAU: 8 Object to the form of the question. 9 THE WITNESS: 10 I know that Exhibit Three is what 11 the corporate standard has been 12 that's been what the company has 13 been working towards. 14 BY MR. HUDSON: 15 Q Right. And they've told you that in 16 your training programs? 17 A No, sir. That comes from management 18 communications. 19 Q Okay. In any event, upper management 20 has told you that. 21 A Yes, sir. That's -- 22 Q Okay. And they've told you they're 23 working to move from the depiction in Exhibit Two</p>	<p style="text-align: right;">Page 69</p> <p>1 Management Workshop. Executive Coaching Workshop. 2 Q Executive what? 3 A Coaching. 4 Q Coaching. 5 A Internal Consulting Workshop. Teller 6 Training. 7 Q Sir? 8 A Teller Training. Teller, as in bank 9 tellers. 10 Q Tellers. 11 A Yes. There are multiple courses within 12 the teller training curricula. 13 Q Okay. I don't need to hear those. Just 14 whenever you can do it generically such as telling 15 me Teller Training, that's fine. 16 A FSR training, Financial Services 17 Representative training, Branch Manager training, 18 Sales Management training for retail, Commercial 19 Loan Officer training, Commercial Admin training. 20 There's a Trust Administrator curricula. 21 Mortgage Loan Originator curricula. Those are the 22 ones that come to mind. And there are, you know, 23 three or four or five hundred online courses.</p>



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19 (Pages 70 to 73)

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1 Q Yeah. I don't need to hear about them.  
 2 I think if you could just describe them in general  
 3 categories for me as you did with teller training,  
 4 that would be helpful. And let's try to cover all  
 5 of the general categories.  
 6 A Yeah. Financial -- Finance and  
 7 Accounting would be one. Communication Skills.  
 8 Supervision. Human Resources. Team Building.  
 9 Sales. Customer Service. Those are the ones that  
 10 come to mind.  
 11 Q Is advancement in the bank tied in any  
 12 way to the successful completion of these courses?  
 13 A There's -- there's a strong attempt to  
 14 manage that for entry level positions. And so you  
 15 have to complete certain criteria, certain  
 16 curricula before you're eligible for promotion,  
 17 and, you know, strongly encouraged and supported.  
 18 There's a lot of recognition given to folks  
 19 who do complete courses. And so, you know, I  
 20 wouldn't say we're mandatory in a lot of cases as  
 21 much as I would that it's looked on very  
 22 positively.  
 23 Q Is it taken into consideration in salary

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1 advances and promotions?  
 2 A Some of it is, yes, sir.  
 3 Q And are completion of these courses and  
 4 dedication to this training program something that  
 5 is promoted as a tool that an employee should  
 6 utilize in order to advance within the  
 7 organization?  
 8 A That's the type of culture we've tried  
 9 to create.  
 10 Q That's the purpose of it, isn't it?  
 11 A That's the purpose, yes, sir.  
 12 Q Okay. I'm looking at what we've  
 13 previously marked as Exhibit Four. And you've  
 14 identified that earlier as your file that you  
 15 reviewed in preparation for your deposition  
 16 today. I don't have a lot of questions about it.  
 17 I'm going to skip around.  
 18 If you feel like you need to read something  
 19 in detail before you answer it, do that. I'm not  
 20 trying to sneak up on you. And I don't think my  
 21 questions are that tough.  
 22 I find under Strategic HR Initiatives this  
 23 phrase "to interact with business partners and

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1 college learning officers". And my question  
 2 simply is, what is this document referring to when  
 3 it refers to "Business Partners" and what it is  
 4 referring to, in your understanding, when it  
 5 refers to "College Learning Officers?"  
 6 A The Business Partner would be a position  
 7 held by a senior HR manager.  
 8 Q Within the bank?  
 9 A Within the bank, yes, sir.  
 10 Q Okay.  
 11 A The College Officer would be the person  
 12 who managed that particular line of business  
 13 training within the University.  
 14 Q Also within the bank?  
 15 A Within the bank, yes, sir.  
 16 Q Okay. When you look at Exhibit Four --  
 17 this isn't Bates stamp numbered. But the first  
 18 page isn't numbered and the next are. So it would  
 19 be effectively numbered one through eight. Do you  
 20 see that collection? Pages one through eight.  
 21 A Yes, sir.  
 22 Q Is that current? Is this a current  
 23 doctrine or policy or is this an older one?

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1 A This is a document that was put together  
 2 in the summer of 2004 to represent the area of  
 3 responsibility that I had to the Management  
 4 Consulting Group within the company. And it is  
 5 what we've operated under until the merger with  
 6 AmSouth.  
 7 Q If I say this wrong, you tell me. At  
 8 that time, the organization development part was  
 9 severed from the learning part and you took the  
 10 learning part.  
 11 A I took the organization development  
 12 part.  
 13 Q I'm sorry. Okay. But notwithstanding  
 14 that, you are sufficiently familiar with the  
 15 learning part to still testify here today in a  
 16 knowledgeable way?  
 17 A I understand its basics, yes, sir.  
 18 Q Sir?  
 19 A I understand the basics of it, yes, sir.  
 20 Q When you say "basics", I'm not asking  
 21 questions about the fine points of some course.  
 22 Have you been comfortable in your testimony so  
 23 far?



20 (Pages 74 to 77)

<p style="text-align: right;">Page 74</p> <p>1 A Yes, sir.</p> <p>2 Q Okay. Now, if you would, please, sir,</p> <p>3 move forward in this collection of documents until</p> <p>4 you get to the page once again unnumbered that</p> <p>5 says "Top 100".</p> <p>6 A Yes, sir.</p> <p>7 Q Now, if you would, would you please go</p> <p>8 forward, thumb forward and tell me when you get to</p> <p>9 the end of the group of documents that go with</p> <p>10 that cover page?</p> <p>11 A Yes, sir.</p> <p>12 Q Would you be so kind as to put in the</p> <p>13 lower right-hand corner of that group and start</p> <p>14 with the one that says "Top 100," put a "1" and</p> <p>15 then just number the rest all the way through</p> <p>16 that?</p> <p>17 A On the inside too?</p> <p>18 Q No. Just on the front so that later we</p> <p>19 can figure out what we're talking about.</p> <p>20 A Okay.</p> <p>21 MR. HUDSON:</p> <p>22 Thank you. Let's take a break just</p> <p>23 a moment.</p>	<p style="text-align: right;">Page 76</p> <p>1 A I think that would be the case.</p> <p>2 Q Is the name of the magazine Training</p> <p>3 Magazine?</p> <p>4 A Yes, sir.</p> <p>5 Q And is Training Magazine, in your</p> <p>6 understanding, devoted to profit and non-profit</p> <p>7 corporate training programs?</p> <p>8 A I have no knowledge of that.</p> <p>9 Q Do you have any understanding of that at</p> <p>10 all?</p> <p>11 A No, sir. You're saying, would it apply</p> <p>12 for folks in educational settings?</p> <p>13 Q No. Actually, I'm not asking for you to</p> <p>14 testify about what Training Magazine is. I'm</p> <p>15 simply asking you for your understanding of what</p> <p>16 Training Magazine is. And you might not have any</p> <p>17 at all.</p> <p>18 A My understanding, it would be for folks</p> <p>19 that have an interest in education and training of</p> <p>20 the workforce.</p> <p>21 Q For the workforce.</p> <p>22 A Yes, sir.</p> <p>23 Q And you don't know whether that's just</p>
<p style="text-align: right;">Page 75</p> <p>1 WHEREUPON, A RECESS WAS TAKEN.</p> <p>2 BY MR. HUDSON:</p> <p>3 Q What is Training Top 100?</p> <p>4 A It's an annual competition you can enter</p> <p>5 in to have your learning organization judged to</p> <p>6 see how it stacks up with other companies'</p> <p>7 training functions across -- most of this is U.S.</p> <p>8 Q When you say "stacks up" against other</p> <p>9 training, is that other corporate training</p> <p>10 programs?</p> <p>11 A Yes, sir.</p> <p>12 Q And you may not be aware of this. But</p> <p>13 if there's an allegation in this lawsuit that</p> <p>14 Regions University has been recognized by Top 100</p> <p>15 training, has that been recognized among corporate</p> <p>16 training programs?</p> <p>17 A Yes, sir.</p> <p>18 Q Does Top 100 training recognize anything</p> <p>19 except, in your knowledge, corporate training</p> <p>20 programs?</p> <p>21 A Would that include non-profit in your</p> <p>22 definition of "corporate"?</p> <p>23 Q Yes, sir.</p>	<p style="text-align: right;">Page 77</p> <p>1 corporate training programs or not?</p> <p>2 A No.</p> <p>3 Q You just don't know?</p> <p>4 A Don't know.</p> <p>5 Q Did you participate in the initiative to</p> <p>6 apply for this award?</p> <p>7 A Yes, sir.</p> <p>8 Q Were you the one who, in fact, took the</p> <p>9 initiative?</p> <p>10 A I requested that we do it, yes, sir.</p> <p>11 Q And was it necessary to pay a fee in</p> <p>12 order to do that?</p> <p>13 A I believe there was an application fee.</p> <p>14 Q An application fee that was paid to</p> <p>15 Training Magazine?</p> <p>16 A I didn't handle it so I don't know the</p> <p>17 details. But I would assume it would have been</p> <p>18 paid to Training Magazine.</p> <p>19 Q Who would have handled that?</p> <p>20 A The individual's name is Todd Massey.</p> <p>21 Q And what is his job?</p> <p>22 A He is an Organizational Development</p> <p>23 Consultant.</p>



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21 (Pages 78 to 81)

Page 78	Page 80
<p>1 Q I'm just curious. Why would he have</p> <p>2 handled the fee payment part of it and you would</p> <p>3 have handled other parts? Is there any reason for</p> <p>4 that division of responsibility?</p> <p>5 A He handled the development of the whole</p> <p>6 application. I requested it. I provided input</p> <p>7 into it. But I didn't prepare it.</p> <p>8 Q I understand. And he would work under</p> <p>9 your supervision?</p> <p>10 A Yes, sir.</p> <p>11 Q And your direction.</p> <p>12 A Yes, sir.</p> <p>13 Q And whatever mechanical things were</p> <p>14 required such as getting a check to pay the fee,</p> <p>15 that would have been delegated to him.</p> <p>16 A Yes, sir.</p> <p>17 Q But it would have required your</p> <p>18 approval, would it not?</p> <p>19 A Yes, sir.</p> <p>20 Q I'm not going to fly speck this. If you</p> <p>21 want to read it all, that's fine. But my question</p> <p>22 is, would this document which is captioned</p> <p>23 "Training Top 100" and runs through the twenty</p>	<p>1 corporate benefit to Regions Bank?</p> <p>2 A Yes, sir, in many ways.</p> <p>3 Q All right. And did it do so in a</p> <p>4 monetary way?</p> <p>5 A We've always tried to, you know, see if</p> <p>6 we can't document the impact of the training that</p> <p>7 we've offered. And in some cases, we've been able</p> <p>8 to.</p> <p>9 Q And did you attempt to reflect those</p> <p>10 cases in this document at page nine?</p> <p>11 A Yes, sir. I think one of the projects</p> <p>12 we were working on.</p> <p>13 Q And what was the monetary benefit that</p> <p>14 you were able to document with respect to a</p> <p>15 portion of this Regions University corporate</p> <p>16 training program?</p> <p>17 A There's a statement in this document in</p> <p>18 paragraph four, page nine that says "applying a</p> <p>19 conservative five percent value estimate, the</p> <p>20 increase in profitability would exceed one point</p> <p>21 nine million".</p> <p>22 Q One point nine million dollars?</p> <p>23 A Yes, sir.</p>
Page 79	Page 81
<p>1 numbered pages fairly describe the corporate</p> <p>2 training program as it existed on October 3, 2005,</p> <p>3 the date of this document?</p> <p>4 A Yes, sir.</p> <p>5 Q Do you see this page? Tell me which</p> <p>6 number it is. It says "Return On Investment" at</p> <p>7 the top of it.</p> <p>8 A Page nine.</p> <p>9 Q All right, sir. Looking at page nine of</p> <p>10 this exhibit captioned "Return On Investment",</p> <p>11 what was meant, in your understanding, of "Return</p> <p>12 On Investment"?</p> <p>13 A The extent to which the company is able</p> <p>14 to see some type of monetary or non-monetary</p> <p>15 effect based on the resources that were allocated</p> <p>16 to training.</p> <p>17 Q A measurable benefit to the company,</p> <p>18 either monetary or non-monetary. Would that be</p> <p>19 correct?</p> <p>20 A Yes, sir.</p> <p>21 Q And did the Regions corporate training</p> <p>22 program referring to it as Regions University</p> <p>23 result by October 3, 2005 in generating a</p>	<p>1 Q Okay. And at the top, referring just to</p> <p>2 Executive Coaching, as I read it, you said that</p> <p>3 you've invested thirty thousand dollars in your</p> <p>4 corporate executive coaching program and that's</p> <p>5 resulted in a documented two hundred and fifty</p> <p>6 thousand dollars in additional revenue for the</p> <p>7 bank.</p> <p>8 Is that correct? Have I read that correctly</p> <p>9 or do I understand that correctly?</p> <p>10 A No, sir.</p> <p>11 Q Would you straighten me out?</p> <p>12 A I believe the top of the page where it</p> <p>13 says "describe your best return on investment</p> <p>14 outcome. For example --"</p> <p>15 Q Oh. I see. That's their example?</p> <p>16 A That's their example.</p> <p>17 Q I'm sorry. Do you see this page, sir?</p> <p>18 A Did that come before or after?</p> <p>19 Q It comes after this one. There it is.</p> <p>20 A It's page twelve.</p> <p>21 Q All right, sir. If we can look at page</p> <p>22 twelve, please, sir, of Exhibit Four, a portion of</p> <p>23 Exhibit Four, it says at the top "Top 100</p>



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22 (Pages 82 to 85)

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1 Training", what do those blocks in that diagram at  
2 Number Eleven signify?

3 A They would signify the change in the  
4 composition of training that you would -- that we  
5 had offered from 2004 to 2005.

6 Q When I look at that block that starts at  
7 the top "Percentage of learning content (provided)  
8 devoted to the following areas", and then it lists  
9 areas A through M, would that be descriptive of  
10 the areas of training that were offered by Regions  
11 University during that time period, the bank's  
12 corporate training program?

13 A Yes, sir. That, I believe, was our best  
14 attempt to try to document the training that we  
15 offered and to fit it into the categories that the  
16 application asked us to fit it into.

17 Q And that would have been all of the  
18 categories using their format?

19 A Yes, sir.

20 Q Do you see this page?

21 A Yes, sir. It's page thirteen.

22 Q Sixteen?

23 A Thirteen.

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1 Q Thirteen. Please look at the document  
2 marked at its top "Top 100 Learning", page  
3 thirteen, and look at the back side of thirteen,  
4 Section 2.1.6. It says "To better describe your  
5 Corporate University -- ", and it goes forward.

6 In your understanding, are there other  
7 corporations that refer to their internal training  
8 programs as universities?

9 A Yes, sir.

10 Q Is that frequently done in your  
11 understanding?

12 A It's common.

13 Q Okay. Would you tell me those of which  
14 you are aware?

15 A Motorola University; McDonalds Hamburger  
16 U, University; Delta University, Delta Airlines.

17 Q Delta University?

18 A Yes, sir. I believe Delta Airlines  
19 University. SunTrust University. Those are the  
20 ones that come off the top.

21 Q I notice that you told me that there  
22 was, for instance, Delta Airlines University,  
23 McDonald's Hamburger University. Is there any

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1 reason that your corporate training program isn't  
2 referred to as Regions Bank University?

3 MR. PECAU:

4 I object to the form of the  
5 question.

6 THE WITNESS:

7 I don't know how to answer that.

8 BY MR. HUDSON:

9 Q Was the name Regions Bank University  
10 considered by you, by the bank or by anybody?

11 A No, sir, not to my knowledge.

12 Q Would you please look, sir, at Exhibit  
13 Four, the pages that follow the one that you had  
14 marked with a twenty? And they start at the top  
15 "2006 CLO Award".

16 A Yes, sir.

17 Q Do the next four pages go together?

18 A Yes, sir.

19 Q Would you please label them at the  
20 bottom A, B, C and D? Thank you. What is the CLO  
21 Award?

22 A It's the Corporate Learning Officer

23 Award that is managed by CLO Magazine, similar to

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1 Training Magazine, that recognizes that function  
2 within companies.

3 Q This is an individual award?

4 A Yes, sir. But in many cases, the  
5 individual award is substantiated based on the  
6 work that's done in the function.

7 Q Have you been the recipient of this  
8 individual award?

9 A Yes, sir.

10 Q And were you the recipient of that award  
11 in 2006?

12 A 2005, I believe, sir.

13 Q Is that something you also make  
14 application for?

15 A Yes, sir.

16 Q And with whom do you make application?

17 A The -- I don't remember the name of the  
18 firm. But it's the magazine that sponsors the  
19 award. It's something Media. I don't remember  
20 the name.

21 Q And I think you said that that would  
22 have been in part because of the work that you've  
23 done with the corporate training program for the



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23 (Pages 86 to 89)

Page 86	Page 88
<p>1 bank.</p> <p>2 A Yes, sir.</p> <p>3 Q Was there any other basis other than the</p> <p>4 work you've done with the bank's corporate training</p> <p>5 program?</p> <p>6 A No.</p> <p>7 Q Okay. If you look, please, sir, at page</p> <p>8 B, under item number 3, "Describe the impact of</p> <p>9 the initiative on the company and its</p> <p>10 stakeholders", do you see that?</p> <p>11 A Yes, sir.</p> <p>12 Q Is that an accurate statement of the</p> <p>13 impact of the corporate training program at</p> <p>14 Regions Bank referred to by the bank as Regions</p> <p>15 University that was administrated by you during</p> <p>16 this relevant time period?</p> <p>17 A Yes, sir.</p> <p>18 Q And did you help in the preparation of</p> <p>19 that statement?</p> <p>20 A I reviewed it.</p> <p>21 Q And approved it?</p> <p>22 A Yes, sir.</p> <p>23 Q The statement -- I asked you about the</p>	<p>1 in this document?</p> <p>2 A The thing that we were the proudest of</p> <p>3 in looking at this, the approach was a very</p> <p>4 efficient use of training. And so that when it</p> <p>5 comes down to it, we reduced the number of</p> <p>6 training hours required to fulfill the strategy</p> <p>7 and that resulted in a return on investment of</p> <p>8 over seven hundred percent. That was right on</p> <p>9 target.</p> <p>10 Q Well, if there's any trick in this</p> <p>11 question, I don't know what it is. Under your</p> <p>12 supervision and direction, was this document which</p> <p>13 is captioned at its top "2006 CLO Award"</p> <p>14 prepared? Was this prepared under your</p> <p>15 supervision and direction?</p> <p>16 A Yes, sir.</p> <p>17 Q And the assessment of the impact of the</p> <p>18 initiative on the company and its stakeholders as</p> <p>19 what was being referred to as the initiative in</p> <p>20 that sentence, was that the corporate training</p> <p>21 program?</p> <p>22 A Yes, sir.</p> <p>23 Q And so was the impact of the corporate</p>
Page 87	Page 89
<p>1 statement on B, page B. But, in fact, it carries</p> <p>2 over to page C. So you might look at C also to be</p> <p>3 sure that we're still in accord on your answer.</p> <p>4 MR. PECAU:</p> <p>5 Do you want the question read back</p> <p>6 to you?</p> <p>7 THE WITNESS:</p> <p>8 Please.</p> <p>9 MR. HUDSON:</p> <p>10 Let me ask another one.</p> <p>11 BY MR. HUDSON:</p> <p>12 Q I was unfair to you and it wasn't on</p> <p>13 purpose. When I asked you a series of questions</p> <p>14 about whether or not item number 3 on page B is</p> <p>15 accurate and reflects the program and its impact</p> <p>16 on the company at the time this statement was</p> <p>17 written, I asked you just to look at page B. But,</p> <p>18 in fact, it carries over to page C too.</p> <p>19 So my question is, does the statement on</p> <p>20 pages B and C accurately reflect the impact of the</p> <p>21 corporate training program known as Regions</p> <p>22 University administrated by you as to its impact</p> <p>23 on Regions Bank during the time period reflected</p>	<p>1 training program referred to as Regions University</p> <p>2 on Regions Bank and its stakeholders at the time</p> <p>3 this document was prepared reflected in the answer</p> <p>4 set forth under Exhibit Three?</p> <p>5 A Yes, sir.</p> <p>6 Q Okay. I'm not going to mark this yet.</p> <p>7 Do you see that budget or whatever that is, that</p> <p>8 spreadsheet? Do you recognize that and know what</p> <p>9 it is? It's with other documents.</p> <p>10 A It looks like a budget document, Regions</p> <p>11 corporate training, October of 2006.</p> <p>12 Q Well, let me make it simpler. It could</p> <p>13 be a lot of things. One thing it could be is a</p> <p>14 budget for Regions University. If it's not that,</p> <p>15 I'm not interested in asking you about it.</p> <p>16 A Okay. I believe this is maybe the last</p> <p>17 report that we had prior to the AmSouth merger.</p> <p>18 So that would probably be a valid snapshot of the</p> <p>19 corporate University.</p> <p>20 Q Okay. I'll mark that as Exhibit</p> <p>21 Fourteen, what we referred to just a moment ago.</p> <p>22 And in my understanding, that would be a valid</p> <p>23 snapshot of the expenditures for corporate</p>



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24 (Pages 90 to 93)

Page 90	Page 92
<p>1 training by the corporate training arm of Regions</p> <p>2 Bank just prior to the AmSouth merger. Is that</p> <p>3 correct?</p> <p>4 A Yes, sir.</p> <p>5 Q Now, look, please, sir, at page 30356.</p> <p>6 A 30356?</p> <p>7 Q Yes, sir. Do you see up at the top</p> <p>8 where it says in bold, "NewRegions-Corporate</p> <p>9 Training" with the words "new" and "Regions"</p> <p>10 merged into one word?</p> <p>11 A Yes, sir.</p> <p>12 Q What is that referring to?</p> <p>13 A I don't know.</p> <p>14 Q Are you familiar with the term</p> <p>15 "NewRegions" in any context?</p> <p>16 A Yes, sir. It would be, I believe, a</p> <p>17 recognition of the company after the Regions/</p> <p>18 AmSouth merger.</p> <p>19 Q Has that term been used with any degree</p> <p>20 of frequency after the merger?</p> <p>21 A Yes, sir.</p> <p>22 Q And how and where has it been used, to</p> <p>23 your knowledge?</p>	<p>1 could be catering. It could be purchase of</p> <p>2 materials. It just depends on how something gets</p> <p>3 classified in accounting.</p> <p>4 Q Okay. Travel &amp; Business Development.</p> <p>5 Do you see that?</p> <p>6 A Yes, sir.</p> <p>7 Q What would that be?</p> <p>8 A That would be mainly for instructor</p> <p>9 travel. So where we have folks that are going</p> <p>10 out, you know, into the footprint delivering</p> <p>11 courses.</p> <p>12 Q The corporate training program known as</p> <p>13 Regions University wouldn't have any business</p> <p>14 development, per se, would it?</p> <p>15 A No, sir.</p> <p>16 Q Okay. Now, Miscellaneous Expense, do</p> <p>17 you see that?</p> <p>18 A Yes, sir.</p> <p>19 Q It's a huge item. I'm just wondering</p> <p>20 how does a banker get away with lumping a million</p> <p>21 dollars into miscellaneous expense. You don't</p> <p>22 have to answer that.</p> <p>23 A Buy a lot of miscellaneouses.</p>
Page 91	Page 93
<p>1 A Just as a way to signify the operations</p> <p>2 of the new company, the combined efforts between</p> <p>3 AmSouth and Regions.</p> <p>4 Q Has it been used publicly?</p> <p>5 A I don't know.</p> <p>6 Q Please look at Bates stamp number 30353.</p> <p>7 A Yes, sir.</p> <p>8 Q What sort of legal and professional fees</p> <p>9 would the corporate training department have?</p> <p>10 That line item is about four down.</p> <p>11 A Legal and Professional would be a</p> <p>12 general ledger account line that would be used to</p> <p>13 house expenses that the function would have for</p> <p>14 external consultants that are used to deliver</p> <p>15 programs for the company.</p> <p>16 Q So if you hire somebody to come in and</p> <p>17 put on a special training program, that would be</p> <p>18 the line item to show what you paid?</p> <p>19 A Yes, sir.</p> <p>20 Q Okay. Now, there's also a line item for</p> <p>21 Outside Services. How is that different?</p> <p>22 A I don't know all that goes into Outside</p> <p>23 Services. But some of that that goes into there</p>	<p>1 Q Yeah, a lot of them.</p> <p>2 MR. HUDSON:</p> <p>3 Let us spend a few minutes.</p> <p>4 WHEREUPON, A RECESS WAS TAKEN.</p> <p>5 BY MR. HUDSON:</p> <p>6 Q Does the corporate training program,</p> <p>7 Regions University, utilize any outside media to</p> <p>8 promote itself to the public?</p> <p>9 A Nothing other than the logo that you've</p> <p>10 seen in trying to go over the artwork. No, sir.</p> <p>11 Q Now, when I say "outside media," I mean</p> <p>12 television, radio, that sort of thing.</p> <p>13 A No, sir.</p> <p>14 Q Do you charge tuition?</p> <p>15 A Some of the courses require managers and</p> <p>16 departments to pay for their folks to attend.</p> <p>17 Q To personally pay?</p> <p>18 A No. The company pays. Our cost center</p> <p>19 will budget for folks to go through training.</p> <p>20 Q But except for accounting and cost</p> <p>21 centers, there's no tuition charge?</p> <p>22 A No, sir.</p> <p>23 Q Do you give grades?</p>



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25 (Pages 94 to 97)

Page 94

1 A No, sir.

2 Q Do you have a pass/fail system?

3 A In some courses.

4 Q So is there any testing associated with

5 many of the courses?

6 A Courses where you have to prove

7 proficiency, for example, compliance, there's a

8 pass/fail cutoff score that's established. But

9 those are few, compared to all that are offered.

10 Q And would you please tell me which those

11 are?

12 A There's a series of, you know,

13 regulation law courses. I can't tell you

14 specifically all of them.

15 Q But they're all required as part of the

16 bank's compliance with regulatory requirements?

17 A Yes, sir.

18 Q Do you teach in Spanish?

19 A We have converted some of our course-

20 ware to Spanish to recognize some of the markets

21 that we're in.

22 Q Do you offer any courses in English to

23 Hispanic speakers?

Page 95

1 A No, sir.

2 Q And the English language I'm speaking

3 of.

4 MR. PECAU:

5 I object to the form.

6 BY MR. HUDSON:

7 Q Do you teach Spanish-speaking people how

8 to speak English?

9 A No, sir.

10 Q And vice versa. Do you teach English-

11 speaking people how to speak Spanish?

12 A We have had some self-study courses in

13 the past on languages, Spanish being one of them,

14 on a volunteer basis.

15 Q And have you done that under the

16 auspices of Regions University?

17 A The materials were delivered by Regions

18 University, yes, sir.

19 Q And from whom did you obtain the

20 materials? You don't need to tell me the name of

21 the company. Was it an outside vendor?

22 A Outside vendor, yes.

23 Q I'm going to show you Exhibits Fifteen

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1 and Sixteen that I've marked for identification.

2 And I want to ask you about something in

3 particular about them. Each of them has at the

4 bottom "https". Do you see that?

5 A Yes, sir.

6 Q In the web address or whatever you call

7 that. Is that the "S" that you referred to as a

8 secure site?

9 A Yes, sir.

10 Q And so both Fifteen and Sixteen would be

11 available only to bank employees who had a

12 password in order to access it?

13 A Yes, sir.

14 MR. HUDSON:

15 Thank you, sir.

16 MR. PECAU:

17 I have no questions.

19 FURTHER, DEPONENT SAITH NAUGHT.

20 \* \* \* \* \*

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1 CERTIFICATE

2

3 STATE OF ALABAMA:

4 COUNTY OF MOBILE:

5 I, David Michael Camp, a Notary Public in

6 and for the State of Alabama at Large, hereby

7 certify that the within-named witness, EMMETT, M.

8 POLLARD, who was made known to me, was, by me,

9 first duly sworn to speak the truth, the whole

10 truth, and nothing but the truth in the case

11 aforesaid; that the testimony then given by said

12 witness was, by me, reduced to shorthand in the

13 presence of said witness, afterwards transcribed;

14 and that the foregoing is a true and correct

15 transcription of the testimony so given by the

16 witness as aforesaid.

17 I further certify that this deposition was

18 taken at the time and place as specified in the

19 foregoing caption and was completed without

20 adjournment.

21 I further certify that I am not a relative,

22 counsel or attorney for either party, or otherwise

23 interested in the outcome of this action.



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1 IN WITNESS WHEREOF, I have hereunto set my  
2 hand and affixed my seal at Mobile, Alabama on  
3 this, the 12th day of May, 2007.  
4  
5

6 David Michael Camp  
Notary Public in and  
for Alabama at Large.  
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